

NOTICE OF INTENT TO AWARD

This Funding Announcement **is not** a request for applications. This announcement is to provide public notice of the Bureau of Reclamation's intention to fund the following project activities without full and open competition.

ABSTRACT	
Funding Announcement	09RA10FW001
Project Title	Recovery Act: Methow Basin Diversion Renovation Projects (MVID East, Fulton)
Recipient	Methow Salmon Recovery Foundation PO Box 1608 Okanogan, WA 98840
Principal Investigator / Program Manager	Chris Johnson PO Box 1608 Okanogan, WA 98840 Phone: 509-422-0300 Fax: 509-422-1766 msrf@community.net
Total Anticipated Award Amount	\$389,000
Cost Share	\$1,365,988.48
New Award or Continuation?	New Award
Anticipated Length of Agreement	2 years
Anticipated Period of Performance	June 1, 2009 to September 30, 2010
Award Instrument	Cooperative Agreement
Statutory Authority	Reclamation is conducting the Tributary Habitat Program under the Fish and Wildlife Coordination Act, and the Fish and Wildlife Act as delegated from the Secretary of the Interior in Secretarial Order No. 3274 dated, September 11, 2007.
CFDA # and Title	15.517 – Fish and Wildlife Coordination Act
Single Source Justification Criteria Cited	(4) - Unique Qualifications
Reclamation Point of Contact	By mail: Bureau of Reclamation Pacific Northwest Regional Office Attn: Mr. Bryant Lyndaker 1150 N. Curtis Road Boise, ID 83706 By Phone: 208-378-5138 By E-mail: blyndaker@pn.usbr.gov

OVERVIEW

Background:

Methow Salmon Recovery Foundation (MSRF) is serving as a Project Sponsor to the Bureau of Reclamation to implement two projects with Recovery Act funding under this cooperative agreement. The MVID East Diversion Renovation Project on the Methow River, and the Fulton Diversion Embankment Restoration Project on the Chewuch River. The objective of these projects is to restore passage for listed threatened and endangered fish and address adverse affects associated with on-going in-river maintenance and operational activities associated with these diversion projects.

The Methow Valley Irrigation District (MVID) East diversion is located on the Methow River at river mile (RM) 44.8. The Fulton Ditch Company's diversion dam is located at river mile 0.9 on the Chewuch River, a tributary of the Methow River. The MVID project is to provide a permanent diversion system for irrigation, to provide undisturbed fish passage, and to reduce water disturbance. The project will include piping, new headgates, fish screening, re-vegetation, and related activities.

The Fulton Diversion, Left Bank Repair project will address damage to the west embankment downstream of the diversion structure caused by sloughing of undersized bank material. This project will modify the existing rip-rapped west embankment just downstream of the dam by excavating undersized material and replacing with additional large rock on the bank. Disturbed areas landward of the embankment will be restored following completion of repair efforts.

The public purpose of stimulation served by this funding support is to ensure that these shovel ready projects are implemented as quickly as possible. Although MSRF had previously secured partial funding for these projects, design changes resulting from agency/permitting review resulted in increased costs that exceeded secured funding. This funding gap would have required a delay in project implementation for both projects. Permitting requirements and operational restrictions limit the in-water construction window to the period between mid-September and the end of December at both sites. A gap in project funding would result in delay of at least one full year.

Implementation of these projects in 2009-10 using support from the Recovery Act will result in immediate job creation at each project site and will prevent escalation of costs due to increased material costs should the project be delayed.

RECIPIENT INVOLVEMENT

MSRF is responsible for developing fish habitat projects through planning, coordination, landowner outreach, permitting, contract award, construction oversight or construction management as necessary for project implementation, and the evaluation and monitoring of project performance.

Description and Specific activities for MVID East:

The MVID East diversion is located on the Methow River at river mile (RM) 44.8. The diversion dam was been identified in a previous assessment of the middle Methow as a partial passage barrier to listed salmonids and bull trout in the Methow Basin. Two-thirds of the width of the diversion was removed under separate funding in 2007 and 2008. Irrigation canal operations require annual excavation and placement of material within the active river channel to maintain adequate diversion volume, to control spill at the wasteway and to maintain head necessary at the intake to meet irrigation needs. This annual activity adversely affects fish usage within the immediate area of disturbance. The MVID East Diversion Renovation Project has these elements:

1. Intake facility - construction of new concrete intake structure at station 12+50, together with appurtenant fences, utilities, trash racks, and access improvements.
2. Conveyance facility - placement and burial of 2440 lineal feet of PVC C-905 pipe material between the new intake facility and the proposed headworks structure downstream. Work to include necessary excavation within the existing intake canal to establish grade; placement of bedding, pipe, pipe cover, and hardened surface; construction of flood height berm, soil and slope stabilization; and revegetation of affected side slopes as required.
3. Conveyance facility – placement of 400 lineal feet of 48” diameter ADS pipe from the outlet of the screen facility extending into the supply canal. Work to include necessary excavation within the existing intake canal to establish grade; placement of bedding, pipe, pipe cover, and hardened surface; construction of flood height berm, soil and slope stabilization; and revegetation of affected side slopes as required.

Description and Specific activities for Fulton:

The Fulton Dam Left Bank Adaptive Repair project will address damage to the west embankment downstream of the diversion structure caused by sloughing of undersized bank material. This material, placed during original project construction in 2007, was not in compliance with the technical specifications. This project will modify the existing rip-rapped west embankment just downstream of the dam by excavating undersized material and replacing with additional large rock on the bank. Disturbed areas landward of the embankment will be restored following completion of repair efforts.

This project will repair the failing left riverbank below the grouted crest of the Fulton Dam. The footprint of the repair work is entirely within the footprint of the original construction. Damage to the private property will be repaired and the existing slope protection that slumped off the slope into the river will be replaced. The existing slope will be excavated to a depth of 3-4 feet at a 2:1 slope for 70 feet along the riverbank and new 36-inch diameter riprap will be installed. The finished toe location will not exceed further below the ordinary high water mark (OHWM) than the original constructed toe. The addition of the larger rock will prevent further damage to the private property and allow the rock ramp to continue to provide excellent fish passage in the future. The rock protection is a critical component of the grouted rock crest; it prevents avulsion of river flows onto left bank properties, which would reduce the head available for operation of the low flow channel and irrigation intake structures.

Primary elements of this work include:

- Control water to isolate the work site from active water flow and prevent entrainment of fish.
- Load, haul, and stockpile rock at the point of use from the existing stockpile at the staging area, approximately 300 feet away.
- Remove the existing curb at the river side edge of the private property.
- Excavate and remove the sloughed off undersized bank protection material currently at the toe of the existing slope.
- Excavate a 3-4 foot deep key trench at the base of the slope for a riverbank length of 70 feet.

- Place angular riprap of a maximum size of 36-inch diameter on the excavated bank at a 2:1 slope.
- Install 3-inch deep (minimum) gravel layer over the riprap on the top of the bank, creating a 3 foot wide pad extending from the curb to the top of the 2:1 slope.
- Restore the landowner's property to its previous condition, including replacement of the concrete curb, fill, grass sod, fence, and irrigation infrastructure, as needed.
- Final cleanup and revegetation as necessary to restore the site to its original condition.

RECLAMATION INVOLVEMENT

Substantial involvement in this project is anticipated by Reclamation. Reclamation will provide technical assistance in planning and coordination, produce the designs for the required construction, perform construction observation during project construction to ensure the project is constructed according to the Reclamation design, and perform effectiveness monitoring of the project after completion.

SINGLE-SOURCE JUSTIFICATION

DEPARTMENT OF THE INTERIOR SINGLE SOURCE POLICY REQUIREMENTS
Department of the Interior Policy (505 DM 2) requires a written justification which explains why competition is not practicable for each single-source award. The justification must address one or more of the following criteria as well as discussion of the program legislative history, unique capabilities of the proposed recipient, and cost-sharing contribution offered by the proposed recipient, as applicable.
In order for an assistance award to be made without competition, the award must satisfy one or more of the following criteria: (1) Unsolicited Proposal – The proposed award is the result of an unsolicited assistance application which represents a unique or innovative idea, method, or approach which is not the subject of a current or planned contract or assistance award, but which is deemed advantageous to the program objectives; (2) Continuation – The activity to be funded is necessary to the satisfactory completion of, or is a continuation of an activity presently being funded, and for which competition would have a significant adverse effect on the continuity or completion of the activity; (3) Legislative intent – The language in the applicable authorizing legislation or legislative history clearly indicates Congress' intent to restrict the award to a particular recipient of purpose; (4) Unique Qualifications – The applicant is uniquely qualified to perform the activity based upon a variety of demonstrable factors such as location, property ownership, voluntary support capacity, cost-sharing ability if applicable, technical expertise, or other such unique qualifications; (5) Emergencies – Program/award where there is insufficient time available (due to a compelling and unusual urgency, or substantial danger to health or safety) for adequate competitive procedures to be followed.

Reclamation did not solicit full and open competition for this award based the following criterion:

(4) UNIQUE QUALIFICATIONS

MSRF, as a non-profit entity, works with many partners to sponsor fish habitat protection and passage activities, and works to secure cost-sharing from Federal and non-Federal sources for project construction. MSRF was the project sponsor for the initial phases of construction work completed for both the Fulton and MVID East projects. MSRF has worked in this area for several years and is well known by the local communities, both public and private. Because of its ability to work well with many public and private agencies and private citizens, MSRF is uniquely qualified to implement this project. MSRF has worked with all partners to secure all required permits for construction of these projects and worked with all affected landowners to provide access for construction to proceed. Additionally, MSRF has secured cost share funding for the MVID East project, which is substantially more than the Reclamation Recovery Act-funded costs.

MSRF has the technical capacity for this type of work. Additionally MSRF has been designated by Reclamation and the Bonneville Power Administration as the lead entity for this type of work within the Methow subbasin.

Reclamation does not plan to make these funds available for competition because MSRF is the only non-Federal partner currently providing construction management and oversight for federally funded fish habitat projects within the Methow subbasin.

STATUTORY AUTHORITY

Fish and Wildlife Coordination Act (16 U.S.C. §§ 661—666c). Additionally, the Commissioner of Reclamation's letter, dated October 30, 2007, delegating "Off-site Habitat Improvements" authority to the Regional Director, Pacific Northwest Region, Bureau of Reclamation.

The Fish and Wildlife Coordination Act, 16 U.S.C. § 661, states in part:

[T]o provide that wildlife conservation shall receive equal consideration and be coordinated with other features of water-resource development programs through the effectual and harmonious planning, development, maintenance, and coordination of wildlife conservation and rehabilitation ... the Secretary of the Interior is authorized (1) to provide assistance to, and cooperate with, Federal, State, and public or private agencies and organizations in the development, protection, rearing, and stocking of all species of wildlife, resources thereof, and their habitat, in controlling losses of the same from disease or other causes,

Secretary of the Interior in Secretarial Order No. 3274 dated September 11, 2007, Authority for Off-Site Habitat Improvements, Pacific Northwest Region, Bureau of Reclamation.

The Assistant Deputy Secretary approved the delegation to the Commissioner and the re-delegation of this authority to the Regional Director, Pacific Northwest Region on November 1, 2007; requested by the Commissioner on October 30, 2007.

Sec. 5 Actions under the Authority Delegated. a. Planning, designing, and constructing, including acquiring lands or interest therein as needed for: (1) fish passage and screening facilities at any non-Federal water diversion or storage

project within the Pacific Northwest Region; or (2) projects to create or improve stream habitat; b. Acquiring or leasing water or water rights from willing sellers or lessors; or c. Monitoring or evaluating the effect of Reclamation actions on ESA-listed species.